

## COAL MINING AND RECLAMATION PERMIT APPLICATION TO REVISE A PERMIT (ARP)

**Issued To:** OHIO VALLEY COAL CO  
56854 PLEASANT RIDGE ROAD  
ALLEDONIA, OH 43902

**Permit Number:** D-360  
**Application Number** R-360-66

**Telephone:** (740) 926-1351

**Effective:** 08/12/2008  
**Expires:** 06/19/2009

**ARP Type:**  
Revise Permit Condition

### CONDITIONS

CONDITION TYPE	DESCRIPTION
Archeology	Prior to the demolition of the Chestnut Level Church, a Phase 1 Survey is necessary around it to determine if any subsurface intact archaeological features exist from the original 19th century church. The applicant must obtain an archaeology clearance from the Division prior to demolition. This condition may be lifted or revised upon notification of receipt of the archaeology clearance and issuance of an ARP revising the permit accordingly.

The issuance of this ARP means only that the application to conduct a coal mining operation meets the requirements of Chapter 1513 of the Revised Code, and as such DOES NOT RELIEVE the operator of any obligation to meet other federal, state or local requirements.

This ARP is issued in accordance with and subject to the provisions, conditions, and limitations of Chapter 1513 of the Revised Code and Chapters 1501:13-1, 1501:13-3 through 1501:13-14 of the Administrative Code.

The approved water monitoring plan for this ARP is:

**Quality:** N/A  
**Quantity:** N/A

**Note:** Any previous condition(s) imposed on this permit, or subsequent adjacent areas, also apply to this ARP unless noted otherwise.

**Signature:**   
Chief, Mineral Resources Management

**Date:** 08/12/2008

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

APPLICATION TO REVISE A COAL MINING PERMIT

Note: Refer to the division's "General Guidelines for Processing ARPs" and "Requirements for Specific Types of Common ARPs" for guidance on submitting and processing ARPs.

1. Applicant's Name **THE OHIO VALLEY COAL COMPANY**

Address **56854 PLEASANT RIDGE ROAD**

City **ALLEDONIA** State **OH** Zip **43902**

Telephone Number **740-926-1351**

2. Permit Number **D-0360**

3. Section of mining and reclamation to be revised:

**PART 3 - MITIGATION**

4. Describe in detail the proposed revision and submit any necessary drawings, plans, maps, etc:

**CHANGE INCLUDES REMOVAL OF BANDING AND TRENCHING AROUND STRUCTURE THAT WAS INCLUDED IN APPLICATION D-0360-19.**

5. Describe in detail the reason for requesting the revision:

**CHESTNUT LEVEL CHURCH WILL BE DEMOLISHED AND PROTECTIVE MEASURES ARE NO LONGER NECESSARY.**

6. Will this revision constitute a significant alteration from the mining and reclamation operations contemplated in the original permit? ☐ Yes, ☒ No.  
(Note: refer to paragraph (E)(2) of 1501:13-04-06 of the Ohio Administrative Code to determine if a revision is deemed significant.)

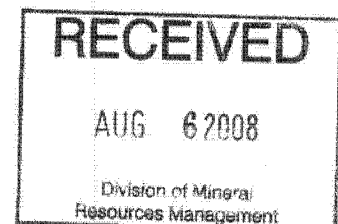
If "yes," complete the following items 7 through 9.

7. In the space below, give the name and address of the newspaper in which the public notice is to be published.

**[REDACTED]**

8. In the space below, give the text of the public notice that is to be published. (Include the information required by paragraph (A)(1) of 1501:13-05-01 of the Ohio Administrative Code.)

ORIGINAL



9. In the space below, give the name and address of the public office where this application is to be filed for public viewing.

I, the undersigned, a responsible official of the applicant, do hereby verify the information contained in this revision request is true and correct to the best of my information and belief.

Print Name DAVID L. BARTSCH

Title ENVIRONMENTAL COORD.

Signature David L. Bartsch

Date 8-1-08

Sworn before me and subscribed in my presence this 1<sup>st</sup> day of August, 2008



STATE OF OHIO  
NOTARY PUBLIC  
DENISE R. JACKSON  
My Commission Expires Sept. 28, 2010

Denise R. Jackson

Notary Public

(For Division Use Only)

This application for renewal is hereby ☒ issued, ☐ disapproved.

[Signature]  
Chief, Division of Mineral Resources Management

8-12-08  
Date

ORIGINAL



# *The Level*

---

## *Chestnut Level Christian Church*

Chestnut Level Christian Church  
PO Box 249  
61820 Chestnut Level Rd.  
Belmont, OH 43718

August 6, 2008

The Ohio Valley Coal Company  
Attn: Mr. David Bartsh  
56854 Pleasant Ridge Rd.  
Alledonia, OH 43902

Mr. Bartsh;

Please be informed that Sunday, August 3, 2008, was the last day for service in the Chestnut Level Christian Church building until after the reconstruction of the new church building and availability for use.

Yours Truly,

*Virginia M. Kemp*

Virginia M. Kemp  
Chairperson Chestnut Level Christian Church Trustees

*Per Virginia Kemp the agreement for the coal was signed  
by the church on 7-31-08. This agreement includes provisions to  
build a new church. Brent Heavilin 8-7-08*

---

61820 Chestnut Level Rd. \* PO Box 95 \* Belmont, OH 43718  
(740) 579-1725

ORIGINAL

TOVCC 078222

**ARP REVIEW TRACKING SHEET**

<b>APPLICANT</b>	The Ohio Valley Coal Co.	<b>ARP #</b>	R-360-66
<b>ARP SUMMARY</b>	Remove Condition (Arch.)		
<b>DISTRICT</b>	Cambridge	<b>APP. MANAGER</b>	Treva Knasel
<b>DATE RECEIVED BY APPLICATION MANAGER</b>	8-6-2008		

1. Is the ARP a **SIGNIFICANT REVISION**? If yes, complete and attach significant ARP Cover Sheet.
2. Were there public comments and/or an informal conference requested? If yes, a written response must be sent to those providing comments at the time the ARP is either approved or disapproved.

YES	NO
	X

**INITIAL REVIEW**

Check applicable reviewers and indicate date(s) the ARP was distributed and comments returned

		Date Sent for Review	Date Response	ACCEPTABLE	
				YES	NO
	Soils: Jessica Carver				
	Blasting: Mike Mann				
	Ownership: Robert Lasley				
	Engineer:				
	Hydrologist:				
X	Field ES: Brent Heavilin	8-6-2008	8-7-08	✓	
X	Inspector: Linda Slater	8-6-2008	8-18-08	defer to J.R.	✓
X	Other: Jeff Reichwein	8-6-2008	8-11-08	conditions	✓
<b>Date Revisions Sent to Applicant</b>				<b>Revisions Rec'd from Applicant</b>	

**SECOND REVIEW**

Check applicable reviewers and indicate date(s) the ARP was distributed and comments returned

		Date Sent for Review	Date Response	ACCEPTABLE	
				YES	NO
	Soils: Jessica Carver				
	Blasting: Mike Mann				
	Ownership: Robert Lasley				
	Engineer:				
	Hydrologist:				
	Field ES:				
	Inspector:				
	Other:				
<b>Date Revisions Sent to Applicant</b>				<b>Revisions Rec'd from Applicant</b>	



August 1, 2008

Mr. John Husted, Chief  
ODNR - Division of Mineral Resources Management  
2045 Morse Road, Building H-3  
Columbus OH 43229-6693

Attn: Mr. Lanny Erdos

Dear Mr. Erdos:

The Ohio Valley Coal Company requests approval of an Application to Revise Permit (ARP) D-0360. Enclosed is the ARP form describing the proposed change. We have finalized the agreement with the Chestnut Level Church involving the undermining of the property. The congregation has or will vacate the premises prior to mining and will not return to the building. Instead, alternate arrangements have been made for services and a new building will replace the old one. As such, it is no longer necessary to band or trench around the building to mitigate damage. This ARP requests the mitigation provisions found in the approved D-0360-19 application be removed. Our mining will be at the church within about 10 days. Therefore, we need rapid consideration of this change. Your prompt attention to this matter would be greatly appreciated. Please contact me if you have any changes or comments about this request. Thank you.

Sincerely,  
THE OHIO VALLEY COAL COMPANY

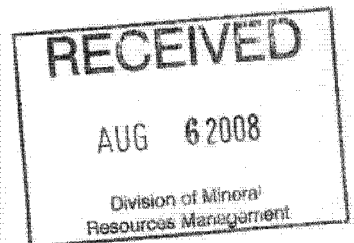
David L. Bartsch, P.E.  
Environmental Coordinator and  
Permit Administrator

cc:

RECEIVED

AUG 4 2008

DIVISION OF MINERAL RESOURCES  
CAMBRIDGE



56854 PLEASANT RIDGE ROAD • ALLEDONIA OHIO 43902  
(740) 926-1351 • FAX (740) 926-1615

TOVCC 07824

Treva,

This is acceptable  
with the attached letter  
included with the APP.

Also OUCC must submit  
the Archaeology report  
which says that the church  
is not eligible for the  
National Register. Jeff  
Reichwein will review the  
report and sign off.  
When he signs off we  
can approve the APP.





## ARP REVIEW DUE DATE LETTER

**Applicant:** OHIO VALLEY COAL CO

**ARP Number:** R-360-66

**Summary:**

Remove a Condition of Permit

**District:** CAMBRIDGE

**Application Manager:** Treva Knasel

**Date Received by Application Manager:** 08/06/2008

This sheet is to be completed by the Permitting, Hydrology Bonding Section Application Manager and attached to any ARP documents that are being sent to technical and other staff for review. A separate sheet is to be completed for each reviewer.

**Date Sent:** 08/06/2008

**Date Review Due:** 08/27/2008

☐ Hydrologist:

☒ Inspector: Linda Slater

If applicable, date ARP was put on public file: \_\_\_\_\_

☐ Field Team Leader:

☒ Environmental Specialist: Brent Heavilin

☒ Engineer: Jason Craven

☐ Blasting Plan:

☐ Soil Scientist:

☒ Archaeologist: Jeff R.

**COMMENTS:**

I have reviewed the ARP documents and following this review find the material and information provided by the applicant to be:

☒ **ACCEPTABLE** No further revision(s) is required. The ARP is for activity that complies with current regulatory requirements

☐ **UNACCEPTABLE** Additional revisions are needed as outlined in the attached document.

**Signature:**

*Brent Heavilin*

**Date:**

*8-7-08*



## Heavilin, Brent

---

**From:** Bartsch, David [dbartsch@coalsource.com]  
**Sent:** Wednesday, August 06, 2008 1:59 PM  
**To:** Heavilin, Brent  
**Cc:** Erdos, Lanny  
**Subject:** FW: Scan Data from Xerox\_WC123



img-8061226-0001.  
pdf

Brent, attached is a copy of a letter from the Chestnut Level Church stating that they are out of the building and will not return to it. They will next meet at the new building that will be built on the same site following subsidence. Lanny asked me to send you this letter so you can proceed with the ARP to remove the banding requirement on the building. We'll be mining under the building soon, and we need the ARP we submitted approved asap. Please contact me if you have any questions. You can reach me on my cell phone at 740-310-9410 this week from 6 a.m. - 1:30 p.m then at my office.

Dave Bartsch, P.E.  
Environmental Coordinator and Permit Administrator  
The Ohio Valley Coal Company  
56854 Pleasant Ridge Road  
Alledonia, OH 43902  
Phone: (740) 926-1351, x.260  
Fax: (740) 926-9112

-----Original Message-----

**From:** xerox@coalsource.com [mailto:xerox@coalsource.com]  
**Sent:** Wednesday, August 06, 2008 1:27 PM  
**To:** Bartsch, David  
**Subject:** Scan Data from Xerox\_WC123

*740-686-2919 Virginia Kemp*

*Per Virginia*



## ARP REVIEW DUE DATE LETTER

**Applicant:** OHIO VALLEY COAL CO

**ARP Number:** R-360-66

**Summary:**

Remove a Condition of Permit

**District:** CAMBRIDGE

**Application Manager:** Treva Knasel

**Date Received by Application Manager:** 08/06/2008

This sheet is to be completed by the Permitting, Hydrology Bonding Section Application Manager and attached to any ARP documents that are being sent to technical and other staff for review. A separate sheet is to be completed for each reviewer.

**Date Sent:** 08/06/2008

**Date Review Due:** 08/27/2008

☐ Hydrologist:

☒ Inspector: Linda Slater

If applicable, date ARP was put on public file: \_\_\_\_\_

☐ Field Team Leader:

☒ Environmental Specialist: Brent Heavilin

☐ Engineer:

☐ Blasting Plan:

☐ Soil Scientist:

☒ Archaeologist: Jeff Reichwein

**COMMENTS:**

*New Archaeology condition: "Prior to the demolition of the Chestnut Level Church a Phase I survey is necessary around it to determine if any subsurface intact archaeological features exist from the original 19th century church."*

I have reviewed the ARP documents and following this review find the material and information provided by the applicant to be: *from the original 19th century church. The applicant must obtain an archaeology clearance from the Division prior to demolition.*

☐ ACCEPTABLE No further revision(s) is required. The ARP is for activity that complies with current regulatory requirements

☒ UNACCEPTABLE Additional revisions are needed as outlined in the attached document.

**Signature:**

*Jeff Reichwein, Jr.*

**Date:**

*8-11-08*  
*to demolition,*



## ARP REVIEW DUE DATE LETTER

**Applicant:** OHIO VALLEY COAL CO

**ARP Number:** R-360-66

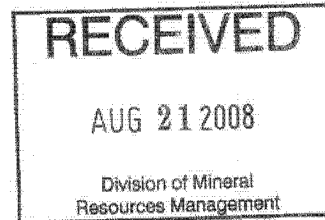
**Summary:**

Remove a Condition of Permit

**District:** CAMBRIDGE

**Application Manager:** Treva Knasel

**Date Received by Application Manager:** 08/06/2008



This sheet is to be completed by the Permitting, Hydrology Bonding Section Application Manager and attached to any ARP documents that are being sent to technical and other staff for review. A separate sheet is to be completed for each reviewer.

**Date Sent:** 08/06/2008

**Date Review Due:** 08/27/2008

☐ Hydrologist:

☒ Inspector: Linda Slater

If applicable, date ARP was put on public file: \_\_\_\_\_

☐ Field Team Leader:

☒ Environmental Specialist: Brent Heavilin

☒ Engineer: Jason Craven

☐ Blasting Plan:

☐ Soil Scientist:

☒ Archaeologist: Jeff Ruckwein

**COMMENTS:**

*Refer to provisions required by  
Jeff Ruckwein*

I have reviewed the ARP documents and following this review find the material and information provided by the applicant to be:

☐ ACCEPTABLE No further revision(s) is required. The ARP is for activity that complies with current regulatory requirements

☒ UNACCEPTABLE Additional revisions are needed as outlined in the attached document.

**Signature:**

*L. Linda Slater*

**Date:**

*8/18/08*